3/16/79

Mr. Richard Kleindienst
Deputy Attorney General
Department of Justice
Washington, D.C.

Dear Mr. Kleindienst,

Your Department has engaged in a systematic effort to violate the clear intent of Congress and the law on "Freedom of Information" to the point that injustice properly made are ignored. Speaking of you want it by right and your obligation to respond to me have been converted into a futility. Even so simple a request for forms [illegible] require for citizens to use the law is blatantly ignored. Moreover, when I search for copies of your instructions the days and at the different offices of your Department, not only was I not given any, but in the proper offices they even declined to take my name and address so they could mail those instructions to me. I have, in the past, addressed a number of requests to the Attorney General. As one, on not one occasion, made response. I have claimed of your offices that when my requests were rejected, as I anticipated they would be, the record indicates this is automatic when not ignored, it is in the name of the Attorney General so that the organized mechanism for delaying me would not be put into play again. In every event, this was not been done. I have twice times addressed appeals from decisions to the Attorney General only to have them also ignored. I regard this record as one in which your Department has effectively maintained any rights to insist upon compliance with those rules you employ only to frustrate my proper requests and, in the event it becomes necessary, am prepared to test this in court.

I would prefer that this not become necessary, that you change your ways, start making responses, eliminate the deception and falsehood from them in short, recognize that Congress passed laws and Presidents sign them so that they will be obeyed, most of all by that Department in whose care the quality and integrity of the law is vested. If, the Department from which we have been hearing so much about what it calls "law and order". Like charity, I suggest that should begin at home.

Herewith I enclose three completed G-48 forms, in each of which three weeks my most recent requests have been made some time ago. In not one of them has there been response.

Two of them are inordinately fragmented, and I single them out for explanation. My first request for the spectrographic analysis of the bullet, fragments of bullet and objects said to have been struck by either shots the President was assassinated and Governor Connally injured in dated in May 1964. There has never been response to it or its subsequent repetition. I addressed a request for this same public, non-secured information to the Attorney General 60 days ago. My first request of your Department for these documents relating to the late William Ferrie of New Orleans was made under the previous administration, and my most recent, still unanswered, was addressed to your office two months ago.

Because the record does not encourage belief you will provide what I seek with reference to the courts, I feel it would be useless for me to disclose everything I seek, but because I want voluntary compliance with the law and because despite your best contrary efforts, I do not want to have this result in embarrassment for you or the government, I do suggest some of them.

With regard to the spectrographic analysis, if you are not aware of it, not them having been in your present position, I think you should know that if it does not agree in the most minute detail with the interpretation put upon it by the Warren Commission, their Report is a fiction. It was, in ways I do not explain, "sanctioned by" that Commission. Those words are from the executive order of the Attorney General of October 31, 1964. Moreover, it was, to all practicable purposes, made public and published in different form, repeatedly, by the Commission. Most recently, this was done by former Dallas Chief of Police Jesse Curry, in a book bearing his name. When I asked for it of the National Archives, in person, the day this executive order was reported in the press, in my presence a representative of your Department told the National Archives it had been transferred there pursuant to this order. When we checked the file we cited, we found it was but a pretense. To the best of my knowledge, there is no basis for response to the report made to him that this was not the analysis itself. This analysis involved no secret processes, no informants whose identities need be hidden, no defamations of the innocent, and does not in any way fall under the right to withhold embodied in any of the guidelines for withholding.

Your Department, through Mr. Vinson, told me two various documents relating to David Ferrie were being reviewed with the intent of seeing whether they would be made available. I never heard further from him. The National Archives told me it had no knowledge of any such review. Obviously, it is impossible for me to provide you with an identification of each and every such suppressed document, but to the degree I can, it is already in your files. In fairness to you, for I do not seek scandal but I do seek information I believe is properly mine, I want you to know that I have some of what is said to be withheld and it cannot possibly be withheld properly. As I have already explained, that might tend to reflect upon the innocent and already been made public, either extensively, by the men involved and by their attorney, in a book and its serialization. Ferrie himself is dead, was unmarried, and his sexual tastes are public knowledge in a variety of ways, including but not limited to public reporting of criminal charges against him for them and in his contesting of these charges and his subsequent loss of employment because of them.

With regard to the photograph identified as FBI Exhibit 60, requested in my letter of April 26, 1970, addressed to the Attorney General, I provide this information and request:

This is a picture of President Kennedy's shirt. The shirt itself is withheld from examination and study and any taking of pictures of it is prevented on the specially prepared ground that neither the government nor his estate want any unenlightened or sensational use of it. I have explained this repeatedly with the National Archives and the representatives of the estate, verbally and in extensive correspondence. However, there is no one to whom the available pictures can be put that is of any other nature, for they show certain but his blood. This is not what I want to study or, perhaps, to show [illegible] in study].

FBI Exhibit 39 is available at the National Archives as it has been published by the Warren Commission and by others. However, someone in your Department has gone to considerable trouble to see to it that the photograph at the National Archives is entirely useless for any serious study or to ensure that it can be used only for no other than sensational purposes. Instead of a photographic print there is a photograph of the printed page. Now FBI Exhibit 39 is not lithographic but is photographic in nature. With the screens built-in for printing, any enlargement is effectively prevented. My interest is the only non-sensational one. It is restricted to the tabs of the shirt through which a bullet is alleged to have passed. I do not, really, want the entire picture, and I would much prefer the largest clear enlargement you can have made of just this very small area of the shirt. My purpose is so simple as it is obvious. It is entirely restricted to a study of the damage to the shirt by the alleged bullet. I would much prefer any enlargement of this very small area of the shirt, which would eliminate all the gore, to a standard 8x10 glossy print of the exhibit itself. If you will not do this, as I hope you will, then I will accept the clearest possible photograph of the original negative of FBI Exhibit 39. However, because I am confident the Department would prefer no suggestion that it is withholding evidence relating to the murder of a President, I do hope you will provide me with the enlargement instead, showing only the damage. It will be obvious, I hope, that there is no unlawful use of such an enlargement of the original negative that is remotely possible, even if I were intending to publish it, which I am not.

The law, as you know better than I, imposes no burden upon me to make any explanation of what I seek under it. I hope you will understand that I have taken this time, gone to this trouble, in a sincere effort to put you in a position to understand that my purposes are serious, scholarly, proper and entirely within the intent of Congress and covered by the law. If you will reflect for a moment, perhaps you will also understand that, at possible cost to myself, I have sought to put you in a position to save yourself and the Department embarrassment if you do as you have in the past.

On the other hand, I will no longer accept the standard Departmental shipping from pillar to post. One of those responsible to which your Department has never responded is four years old. The request embodied in my Civil Action 718-70 was a year old at the time you complied to the perfectly proper request but only after I filed the action and you could no longer delay trial. If I have not heard from you within two weeks that you will comply with these requests, or if I get a rejection in any more other than that of the Attorney General, I will proceed with further civil actions. I would much prefer to avoid this. Most sincerely, I hope you would also.

Sincerely,

Harold Weisberg